



Petition Number: 1409-PUD-14

Petitioner: M/I Homes of Indiana, LP

Request: An amendment to the Springmill Trails PUD to allow a five (5) foot side yard setback (existing standard is six (6) feet) and a nineteen (19) foot front yard setback (existing standard is twenty (20) feet) for the ten (10) lots in Water's Edge, as identified in **Exhibit 3** and **Exhibit 4**, respectively.

Current Zoning: Springmill Trails PUD District (Ord. 11-19, as amended)

Current Land Use: Single Family Residential

Approximate Acreage: 36.74 acres +/-

Zoning History: 1101-PUD-02 Original PUD Ordinance (Ordinance 11-19)
(Subject Property) 1205-DP-04 Overall Development
1205-SPP-01 Primary Plat
1207-SFP-06 Secondary Plat, Section 1
1306-PUD-05 PUD Amendment (Ordinance 13-15)
1309-SFP-22 Secondary Plat, Section 2

Exhibits:

1. Staff Report
2. Location Map
3. Proposed Side Yard Modifications
4. Proposed Front Yard Modifications
5. Character Exhibits
6. Neighbors' Meeting Summary
7. Public Comment
8. Revised Ordinance 14-34

Staff Reviewer: Jeffrey M. Lauer, Associate Planner

PETITION HISTORY

This petition was introduced at the August 11, 2014, City Council meeting. It received a public hearing at the August 18, 2014, Advisory Plan Commission (the "APC") meeting. Public comments were submitted to the Economic and Community Development Department (the "Department") prior to and presented at the public hearing. Following the public hearing, the Petitioner hosted a neighbors' meeting on August 27, 2014. The Petitioner subsequently hosted a second neighbors' meeting on October 15, 2014. This petition is scheduled to receive an additional public hearing at the December 15, 2014, Plan Commission meeting.



PROCEDURAL

Public hearing: Amendments to a Planned Unit Development District are required to be considered at a public hearing by the APC. This petition initially received a public hearing at the August 18, 2014, APC meeting. This petition is scheduled to receive an additional public hearing at the December 15, 2014, APC meeting. Notice of the public hearings were properly advertised in accordance with Indiana law and the APC's Rules of Procedure.

Neighbors' Meeting: The Petitioner hosted two (2) separate meetings for adjoining property owners on August 27, 2014, and October 15, 2014. The Petitioner has provided a summary of the meetings, which is included at **Exhibit 6**.

Statutory Considerations: Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes reasonable regard shall be paid to:

1. The Comprehensive Plan;
2. Current conditions and the character of the current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible growth and development.

PROJECT OVERVIEW

Project Location: The subject property (the "Property") is located north of State Road 32 along Casey Road and incorporates approximately 36.74 acres +/-.

Project Description: The Petitioner has modified their amendment request since the initial public hearing. The modified request is for two text amendments to the Springmill Trails PUD that will allow specific lots to accommodate a three-car garage. The amendments are as follows:

1. **Side Yard Building Setback:** Reduce the side yard building setback from six (6) feet to five (5) feet, but maintain a minimum building separation of twelve (12) feet, for Lots 56, 61, 76, 80 and 82, as depicted in **Exhibit 3**; and
2. **Front Yard Building Setback:** Reduce the front yard building setback from twenty (20) feet to nineteen (19) feet for Lots 24, 25, and 77, as depicted in **Exhibit 4**. These are corner lots and the front yard setback reduction would only apply along one street frontage, but the one-foot reduction will allow the lot to accommodate a three-car garage.

PUBLIC COMMENTS

The written comments submitted in advance of the public hearings are attached hereto as **Exhibit 7**. The public comments presented at the public hearing are summarized in the APC's minutes of that meeting.



STAFF COMMENTS:

1. Hold public hearing. No additional action is required at this time.
2. Prior to recommendation consideration to the City Council, the petitioner will make any necessary revisions to the plans, as addressed in this staff report.
3. If any Plan Commission members have any questions prior to the public hearing, then please contact Jeffrey M. Lauer at 317.910.2927 or jlauer@westfield.in.gov.